

MARION BOARD OF HEALTH
Meeting Minutes
May 24, 2016

MEMBERS PRESENT: Elizabeth S. Dunn, RN, Vice Chairman
John B. Howard, MD, Clerk
Jason E. Reynolds, New Member
Karen A. Walega, Health Director

OTHERS PRESENT: Jean Perry, Wanderer

The meeting was called to order at 4:30 p.m.

Reviewed correspondence

Discussion – Public Health Nurse Contract

Ms. Walega updated the contract to reflect the current dates and salary.

Discussion – 20 Old Indian Trail

Ms. Walega said it was determined that it was not stormwater runoff from the lot. In the meantime, she contacted the State DOT to let them know about the driveway at Mr. Singleton's home.

Discussion – Variance for Planting Island

Ms. Walega explained that the state recommended the variance for Planting Island. Since 2012, the water sample results have been very good so it will only be necessary to take samples once a month. The Board of Health signed the application for extension on April 12, 2016 and DPH approved it.

Discussion – Public Health Nurse Contract

Ms. Walega stated that the contract is done yearly and it was the exact same contract that Jon Witten, Attorney reviewed showing a 2% increase that was approved at Town meeting.

Discussion - 11 Oak Street

Ms. Walega explained the owner had a Title 5 done by a contractor and she had a lot of problems. She had to call him back several times. In the meantime, she called All-Clear and they dug it up. Evidentially, the Title 5 inspection wasn't done properly. He hadn't dug up the D-box, had he done that he would have seen that it was all clogged with dirt. She is now in the process of having everything repaired and is working with her closing attorney to try to get some reimbursement for the \$2500 she spent. Ms. Walega said she is writing a letter to DEP and to the contractor.

Discussion – 657 Mill Street

Ms. Walega contacted the State and asked them to check on that address to be sure the runoff was not running off into that yard.

Discussion – Smoke free at Silvershell beach, public parks and other public areas

Dr. Reynolds stated that smoking should not be permitted at our beaches, public parks or other public areas. Ms. Walega said the designated smoking area is right near the entrance to the Board of Health

beach. Dr. Reynolds said the smoking area should be outside the gate. Ms. Walega said it is stated in our new regulation that smoking is prohibited in workplaces and public places and on page 2 and 3, it states smoking is prohibited at municipally owned parks and playgrounds, municipally owned beaches and other swimming areas. The Board members agreed.

VOTE: 3-0-0

Discussion – Reorganization

Dr. Howard made a motion that Mrs. Dunn becomes Chairman, he becomes Vice Chairman and Dr. Reynolds becomes Clerk and Mrs. Dunn seconded. VOTE: 3-0-0

Discussion – Synthetic regulations

Ms. Walega explained that Jon Witten didn't believe that the Board of Health had the jurisdiction to regulate that, he believed the Police Department had that jurisdiction. He didn't think that it should be in the purview of the Board of Health. She had given a copy of the proposed regulation to Chief Miller and he hadn't gotten back to her about it. Dr. Howard and the other Board members asked Ms. Walega to send Chief Miller a note saying that this has been a topic of ours for a long time and that if we are not going to be allowed to do it then someone needs to be doing it.

Discussion – Stormwater regulations

Ms. Walega stated that this doesn't have anything to do with the Board of Health, it's very complicated and it is engineering based. Ms. Walega said we don't get involved in the stormwater part of it. It's more the Conservation Commission. She doesn't understand it and it's very complicated. The Planning Board hires an engineer to review all that, we have the same stormwater regulations that the Planning Board has and she thinks it's a duplication of services. The Board agreed. Dr. Howard suggested writing a memo to the Planning Board that we have discussed this and defer to the expertise of their engineer resource regarding groundwater runoff. Dr. Reynolds said we're only worried about depth to groundwater or if there was concern that the runoff would threaten public water supply or the harbor.

Discussion – Underage Drinking Grant and Opioid Abuse Grant

Mrs. Dunn explained that she and Dr. Downey are working on both grants. It's Dartmouth, New Bedford, Wareham and the Marion-Rochester Regional Health District and now Mattapoissett. We are working on initiatives to help with the opioid crisis and the underage drinking. Most of their interviews have shown that it is more marijuana than drinking in the teens. Dr. Reynolds asked if it becomes legal, what can be done to regulate the sale of it in our Town. Dr. Howard asked who licensed liquor establishments. Mrs. Dunn answered the Board of Selectmen. So the Board thought the Board of Selectmen would regulate it.

Discussion – MRC

Ms. Walega said that Kathy Downey is working very hard to get volunteers. We have a good core group and meet once a month, we are trying to get someone to coordinate the volunteers within our group of volunteers. We are focusing on setting up an event at the town party.

Discussion – Public Health Nurse Contract

Ms. Walega asked the Board to sign the PHN contract and Dr. Downey would like the approval of the Board to carry over one week vacation that she will be unable to use. Mrs. Dunn moved to grant her an extension to carry over one week vacation and Dr. Reynolds seconded.

VOTE: 3-0-0

Mrs. Dunn made a motion to go into executive session to discuss contract negotiations and Dr. Reynolds seconded. VOTE: 3-0-0

Discussion – Public Health Nurse

Mrs. Dunn discussed the amount of work the PHN does for the MRC. The Board has encouraged this and given her permission to do it over and above the hours that she works and would like to discuss compensation for the additional work. It's in her contract that we can authorize and pay her overtime. Dr. Howard would like to know what the Town policy is for overtime pay issues and how it is to be addressed. Dr. Reynolds asked Mrs. Dunn to talk to Mr. Dawson to find out how other Departments handle overtime and from our understanding it looks like we have the authority to authorize her to be paid overtime. The Board agrees that Dr. Downey's salary should be much higher based on her credentials and qualifications. Dr. Reynold suggested that the Board somewhat on a regular basis review the hours Dr. Downey is working. Dr. Howard agreed and added that she should come before the Board every two or three months to discuss what she is focusing on and with a rough idea on the amount of overtime, we make a motion, seconded, approved, voted. Then it's in the minutes.

Dr. Howard moved to adjourn the meeting at 5:30 p.m. and Dr. Reynolds seconded. VOTE: 3-0-0.

Respectfully submitted,

Jason E. Reynolds, MD, PhD, FAAP, Clerk

List of Items Submitted:

Memo to ZBA regarding 20 Old Indian Trail

Letter to CLE Engineering approving variance request for 406 Point Road

Letter regarding review of proposed business at 806 Mill Street

Application for extension of sampling variance for Planting Island

Applications for 2016 water quality testing of beaches

Certified letter regarding in-ground pool not surrounded by fence at 266 Converse Road

Draft Meeting Minutes of April 12 and April 26, 2016
